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TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 22 March 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 22 March 1995 from the President of the Republic of Croatia, Dr. Franjo Tudjman, addressed to you.

I would kindly request your assistance in distributing this letter and its annex as a document of the fiftieth session of the General Assembly under item 92 of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

* A/50/50.

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ANNEX

Letter dated 22 March 1995 from the President of Croatia addressed to the Secretary-General

I would like to state the position of the Republic of Croatia with regard to the Vance plan (S/23280, annex III) for Croatia of 1991.

As we are both aware, the Vance plan has fulfilled but one small part of its goals: apart from the - at least formal - withdrawal of the former JNA forces from the territory of Croatia, nothing else has been achieved: the heavy weapons of the "Serbian Territorial Defence Forces" are not kept under United Nations control in storage depots; United Nations Protected Areas (UNPAs) have not been demilitarized, nor have the paramilitary units within them been disbanded; the human rights of members of the non-Serbian population within the UNPAs are being constantly violated; not a single refugee has returned home, to the contrary - as you are aware - some 600 Croats and other non-Serbs have been killed and 12,000 forcibly displaced from UNPAs while under United Nations Protection Force (UNPROFOR) supervision.

I would like to emphasize that the Vance plan was an interim arrangement; it was to remain in force "in certain areas of Croatia" until an "overall settlement" or a "political solution" was found and the European Community came up with a viable peace plan. The Republic of Croatia has on many occasions reiterated that - following Security Council resolutions 815 (1993), 871 (1993), and 947 (1994), and General Assembly resolution 49/43 - the solution has clearly been defined: the negotiations on the conclusion of the conflict can take place only on the basis of respect for the territorial and legal framework of the Republic of Croatia.

The Vance plan has been overtaken by the developments on the ground. The introduction of "pink zones" (to which the Republic of Croatia has, upon your own assessment (S/24188), agreed voluntarily), the emergence of "blue zones" after the Zagreb Agreement of 29 March 1994, and the Economic Agreement have altered the overall framework for the "solution", and made the Vance plan largely irrelevant. In our view, these developments and the present situation have even rendered the Vance plan an obstacle for earnest negotiations within the Republic of Croatia.

General Assembly resolution 49/43 has determined a generic term for all of the territory of the Republic of Croatia that is not under effective control of the Croatian Government: occupied territories of Croatia. The use of the term "United Nations Protected Areas" cannot be justified any more. The "political solution" is not pending; the only aspect to be decided upon is how the occupied territories shall be reincorporated into the political and legal system of the Republic of Croatia. For Croatia, only the positive, and so far unfulfilled elements of the Vance plan and other agreements should remain as a mechanism for peace. But considering the fact that the UNPROFOR mission is withdrawing and its mandate terminating, the vehicle that launched the operation and its terminology cannot remain behind.

Within this in mind, I have the honour to inform you that the Republic of Croatia shall continue to honour the basic principles of the Vance plan, but finds it cannot serve as a legal or political basis for a new peace-keeping mission that is about to be launched in Croatia, and subsequently considers it to be null and void.

On the basis of the above, the Republic of Croatia hereby considers that our acceptance of the Vance plan, which was transmitted to the United Nations in my letter of 6 February 1992 (S/23592, annex I), is no longer binding.

(Signed) Dr. Franjo TUDJMAN
President of the Republic of Croatia